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February 23, 2024

**VIA HAND DELIVERY**

Amanda O. Noonan, Director, Consumer Services  
State of New Hampshire  
Department of Energy  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

**Re: Town of New Boston Community Power Aggregation Plan – CPT 2024-002**

Dear Director Noonan:

I represent The Town of New Boston Selectboard. This letter is in response to the complaint filed by the Office of the Consumer Advocate (“OCA”), dated February 13, 2024. The Town of New Boston takes seriously the allegations made by the OCA and disputes the complaint. As explained further below, the complaint overlooks the totality of the documents and thus should not prevent the residents of New Boston from participating in this program that is designed to provide options for energy consumption over the next 20 months.

The Town of New Boston entered into an Electric Service Agreement (“ESA”) with First Point Power, LLC on October 4, 2023 at a default rate of \$.10968 per kWh and delivery term of 20 months (March 2024 through November 2025). The Eversource default rate on that day was \$.12582 per kWh. No information was available indicating what Eversource would set as its rate in December 2023. On December 14, 2023, over two months following the execution of New Boston’s ESA with First Point Power, Eversource announced its new default rate of \$.0829 per kWh.

As cited in the complaint, New Boston Community Power Plan (Docket No DE 23-023) states at Exhibit 1, Page 2: “[t]he program will not launch without savings for eligible

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customers.” What the OCA fails to reference was the following language in the Plan at pages 6-7:

“While the New Boston Default product cannot guarantee savings to customers in any given month, the product is intended to perform well and remain competitive compared to utility default service price.”

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“The Program notes that it cannot guarantee savings for any of its products compared to the utility Default Services Rates. Utility Default Services rates may not be known for the entirety of any Program supply contract.”

These statements are consistent with the Plan and the reality that the Selectboard determines the level of renewable energy to be included in the default rate “upon their assessment of market conditions and what would be in the best interest of retail electric customers at the time of the solicitation”. Plan at 9. The 20-month rate at \$.10968 per kWh is a competitive rate with Eversource because of the stability granted by its longer duration. Eversource will certainly have trouble offering such stability due to its rates changing every six months.

Furthermore, the OCA complaint alleges that New Boston’s website provides misleading information when it states: “Basic Option offers the best price possible.” However, this statement notes the basic option inside the Community Power plan is the best price possible over the other prices available in the plan. Moreover, the Town’s website expressly informs residents on the same page:

“Savings can’t be guaranteed, but demonstrated savings create a foundation for increasing our renewable supply dramatically while offering individual customers exactly the choices they need and want for maximum cost savings and renewable energy up to 100%.”

Every household in New Boston that utilizes electricity has been informed of this program and the ability to voluntarily opt out. Additionally, the Town hosted one public information session on January 21 and then one public hearing on January 29, regarding how the rates were set, how the Town arrived at a point with a rate higher than the Eversource default, the Community Power launch, and how to opt out of the program. These were clearly explained at both sessions. *Exhibit A* enclosed is a slideshow presented at the public hearing and the information session, advising the public and rebutting any claim the Town has been misleading. The Town has been transparent with its residents regarding the Community Power rate, allowing its residents to make their own informed decision.

Accordingly, the Town of New Boston disputes the complaint filed by the Office of the

Consumer Advocate and we intend to proceed with our Community Power launch as scheduled.

Very truly yours,



Michael P. Courtney, Esquire  
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MPC/cab  
Enclosure

cc: Office of Consumer Advocate, 21 S. Fruit Street, Ste 18, Concord, NH 03301-2429  
Town of New Boston SelectBoard

# Program Options



	Eversource Default Service	New Boston Green Default (automatic)	New Boston Basic	New Boston Green 50%	New Boston Green 100%
<i>Price</i>					
<b>Residential &amp; Commercial</b>	8.285 ¢/kWh	<b>10.968</b>	10.568	11.648	13.648
<b>Industrial (GV)</b>	9.0-18.2 ¢/kWh*	<b>¢/kWh</b>	¢/kWh	¢/kWh	¢/kWh
<b>Total Renewable Energy 2024</b>	24.3%	<b>34.3%</b>	24.3%	50%	100%
<b>Duration</b>	6 months Feb 1 to July 31, 2024* <i>Industrial variable price changes monthly</i>	<b>20 months [March 2024 to November 2025]</b>	20 months [March 2024 to November 2025]	20 months [March 2024 to November 2025]	20 months [March 2024 to November 2025]

\*Eversource Default rates since 2022 to compare:

- 10.669 ¢/kWh (Feb to July '22)
- 22.566 ¢/kWh (Aug '22 to Jan '23)
- 20.221 ¢/kWh (Feb to July '23)
- 12.582 ¢/kWh (Aug '23 to Jan '24)